

Message Text

CONFIDENTIAL

PAGE 01 STATE 010198

ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 OES-06 SSO-00 NSCE-00 INRE-00
ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
CIEP-01 COME-00 DLOS-06 DODE-00 DOTE-00 EB-07 EPA-01
ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01 INR-07 INT-05
IO-13 JUSE-00 NSAE-00 NSC-05 NSF-01 OMB-01 PM-04
PRS-01 SP-02 SS-15 SAL-01 /113 R

DRAFTED BY EUR/CAN:JHROUSE, JR.:ED

APPROVED BY L/MLEIGH

L/MFELDMAN (DRAFT)

OES/RSCULLY (DRAFT)

-----171539Z 067010 /53

O 171527Z JAN 77

FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA IMMEDIATE

C O N F I D E N T I A L STATE 010198

FOR AMBASSADOR

E.O. 11652: GDS

TAGS: SENV, PBOR, EFIS, CA

SUBJECT: MARITIME BOUNDARY AND FISHERY NEGOTIATIONS

REF: OTTAWA 0136

1. FOLLOWING IS IN RESPONSE TO POINTS YOU RAISED REFTEL
FOR USE IN YOUR SCHEDULED MEETING WITH EXTAFF UNDERSECRETARY
ROBINSON.

2. EXTENSION OF "SHORT-TERM FISHERIES AGREEMENT (PARA. 4
REFTEL). YOU MAY CONFIRM US WILLINGNESS TO ACCEPT GOC
PHRASEOLOGY "NO EXTENSION WOULD BE ENVISAGED." YOU SHOULD
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 010198

NOTE THAT ALTHOUGH US DOES NOT EXCLUDE POSSIBILITY OF
AGREEING TO SHORT-TERM FISHERY ARRANGEMENTS FOR LIMITED
PERIOD FOLLOWING 1977 IF RESORT TO THIRD PARTY SETTLEMENT
PROCEDURE SHOULD PROVE NECESSARY, WE WOULD ENVISAGE SUCH
AN ARRANGEMENT ONLY WHERE MUTUALLY SATISFACTORY AGREEMENT
ON THIRD PARTY REFERENCE HAD BEEN REACHED IN ADVANCE.

3. CANADIAN ICNAF FORMULA (PARA 6(A) AND (C) REFTEL). YOU WERE CORRECT IN STATING THAT ICNAF FORMULA PUT FORWARD BY GOC IS NOT ACCEPTABLE BASIS FOR US AGREEMENT. GOC APPROACH WOULD OBFUSCATE US JURISDICTION AND MAY BE PREDICATED UPON AGREED LIMIT ON US FISHING IN AREAS UNDER US MANAGEMENT AUTHORITY.

4. FOUR ELEMENTS (PARA 8 REFTEL). YOU MAY CONFIRM USG WILLINGNESS TO ACCEPT GOC FORMULATION "FOUR ELEMENTS WOULD BE ADDRESSED" IN GULF OF MAINE AREA. FYI WE BELIEVE GOC IS STILL UNDECIDED WHETHER TO INCLUDE HYDRO-CARBON ARRANGEMENTS IN LONG-TERM AGREEMENT. WE WOULD WANT TO ENCOMPASS SUCH ARRANGEMENTS IN A LONG-TERM AGREEMENT FOR THE GULF OF MAINE BUT SEE NO NEED TO PRESS THIS POINT AT THIS EARLY STAGE. END FYI.

5. BINDING SETTLEMENT (PARA 10 REFTEL). YOU WERE CORRECT IN STATING THAT USG OBJECTIVE IN SEEKING AGREEMENT FOR BINDING ADJUDICATION IS TO INSURE THAT BOUNDARY ISSUES WILL BE RESOLVED WITHIN REASONABLE PERIOD OF TIME. LIKE GOC WE HAVE NOT DETERMINED EXACT PROCEDURE WE PREFER. HOWEVER, WE BELIEVE THAT A MUTUAL COMMITMENT NOW TO GO TO BINDING THIRD PARTY SETTLEMENT ABSENT AGREEMENT BY THE END OF 1977, LEAVES OPEN WIDE AREA OF CHOICE AS TO FORUM, PROCEDURE, ETC., WHICH SHOULD ALLOW US TO FIND A MUTUALLY SATISFACTORY WAY OF PROCEEDING IF ADJUDICATION PROVES NECESSARY, AND WE WOULD HOPE GOC COULD AGREE WITH US NOW TO GO TO BINDING SETTLEMENT. YOU SHOULD SO INFORM GOC. IF, HOWEVER, GOC IS NOT PREPARED TO GO BEYOND AGREEMENT TO "SUBMIT TO CONCLUSIVE THIRD PARTY SETTLEMENT",

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 010198

YOU MAY SAY THAT US IS PREPARED TO LET THE ISSUE STAND WITHOUT FURTHER RESOLUTION, BUT GOC SHOULD UNDERSTAND CONSTRAINTS PREVIOUSLY CONVEYED (PARA 2 ABOVE) WHICH WILL LIMIT CONCLUSION BY US OF SHORT-TERM FISHERIES ARRANGEMENTS FOR ANY PERIOD AFTER 1977.

6. RESUMPTION OF BOUNDARY TALKS (PARA 12 REFTEL). LAST SENTENCE OF US AIDE MEMOIRE (STATE 8596) WAS INTENDED TO PRESS ONLY FOR RESUMPTION OF TALKS ON BOUNDARIES. HOWEVER, USG HAS NO OBJECTION AS YOU SUGGESTED TO GOC TO INCLUDING IN RESUMED BOUNDARY TALKS, INITIALLY AT LEAST, CONSIDERATION OF LONG-TERM HYDROCARBON AND MARINE POLLUTION ARRANGEMENTS AND LINKAGES WITH LONG-TERM FISHERIES NEGOTIATIONS, IF GOC SO DESIRES. AS YOU RECOMMEND, YOU SHOULD STRESS IMPORTANCE USG PLACES ON RECOMMENCING TALKS ON BOUNDARIES ASAP, NOTING THAT IN OUR VIEW TO RESUME DISCUSSION OF BOUNDARY ISSUES WHILE SHORT TERM FISHERIES TALKS ARE IN PROGRESS COULD ASSIST IN MOVING FISHERIES TALKS FORWARD. AS PRACTICAL MATTER IT MAY NOT

BE POSSIBLE TO MEET UNTIL LATE IN FEBRUARY; HOWEVER, WE
WOULD LIKE CONFIRMATION THAT GOC IS READY TO BEGIN
NEGOTIATING A COMPROMISE BOUNDARY AND WILL BE PREPARED
TO MAKE PROPOSALS TO THAT END.
KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHING RIGHTS, FISHING AGREEMENTS, FISHING REGULATIONS, NEGOTIATIONS, FISHING LIMITS, FISHERIES COMMISSIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE010198
Document Source: CORE
Document Unique ID: 00
Drafter: JHROUSE, JR.:ED
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770016-1253
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770145/aaaabndg.tel
Line Count: 121
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: acc7f2d8-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 OTTAWA 136
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 20-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3580157
Secure: OPEN
Status: NATIVE
Subject: MARITIME BOUNDARY AND FISHERY NEGOTIATIONS
TAGS: SENV, PBOR, EFIS, CA
To: OTTAWA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/acc7f2d8-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009